# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

In re: PURDUE PHARMA
BANKRUPTCY APPEALS

21-cv-7532 (CM); 21-cv-7585 (CM); 21-cv-7961 (CM); 21-cv-7962 (CM); 21-cv-7966 (CM); 21-cv-7969 (CM); 21-cv-8034 (CM); 21-cv-8042 (CM); 21-cv-8049 (CM); 21-cv-8055 (CM); 21-cv-8139 (CM); 21-cv-8258 (CM); 21-cv-8271 (CM); 21-cv-8548 (CM); 21-cv-8557 (CM); 21-cv-8566 (CM) (Consolidated)

#### **NOTICE OF APPEAL**

NOTICE is hereby given that Appellees the Mortimer-side Initial Covered Sackler Persons ("Side A"), 1 by and through their undersigned counsel, appeal to the United States Court of Appeals for the Second Circuit from the Decision and Order on Appeal of the Honorable Colleen McMahon, entered on December 16, 2021 (the "Order") (ECF No. 279, Case. No. 7:21-cv-07532) (annexed as Exhibit A), and the identical orders entered on December 16, 2021 in each of the consolidated cases captioned above.<sup>2</sup> The Order vacates the September 17, 2021

Side A includes Theresa Sackler, Ilene Sackler Lefcourt, Kathe Sackler, and Mortimer D.A. Sackler, as well as trusts of which they are beneficiaries and the trustees of those trusts, and Beacon Company. Amended and Restated Case Stipulation Among the Debtors, the Official Committee of Unsecured Creditors and Certain Related Parties ¶ 1, Bankr. ECF No. 518, Case No. 19-23649-rdd.

See ECF No. 158, Case No. 7:21-cv-07961; ECF No. 157, Case No. 7:21-cv-07962; ECF No. 163, Case No. 7:21-cv-07966; ECF No. 164, Case No. 7:21-cv-07969; ECF No. 152, Case No. 7:21-cv-08034; ECF No. 144, Case No. 7:21-cv-08042; ECF No. 148, Case No. 7:21-cv-07585; ECF No. 150, Case No. 7:21-cv-08049; ECF No. 130, Case No. 7:21-cv-08258; ECF No. 152, Case No. 7:21-cv-08055; ECF No. 141, Case No. 7:21-cv-08056; ECF

order of Bankruptcy Judge Robert D. Drain of the United States Bankruptcy Court for the Southern District of New York confirming Debtors' Plan of Reorganization (*see* Findings of Fact, Conclusions of Law, and Order Confirming the Twelfth Amended Joint Chapter 11 Plan of Reorganization of Purdue Pharma L.P. and Its Affiliated Debtors (Bankr. ECF No. 3787, Case No. 19-23649) (annexed as Exhibit B)) and Judge Drain's related September 1, 2021 bench ruling, filed on the docket on September 17, 2021 as the Modified Bench Ruling on Request for Confirmation of Eleventh Amended Joint Chapter 11 Plan (Bankr. ECF No. 3786, Case No. 19-23649) (annexed as Exhibit C).

The parties to the order appealed from, and the names and addresses of those parties or their respective attorneys, if applicable, are as follows:

# Purdue Pharma L.P. and Affiliated Debtors<sup>3</sup>

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#### The Mortimer-Side Initial Covered Sackler Persons

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08139; ECF No. 148, Case No. 7:21-cv-08271; ECF No. 98, Case No. 7:21-cv-08548; ECF No. 100, Case No. 7:21-cv-08566; ECF No. 97, Case No. 7:21-cv-08557.

Purdue Pharma L.P.; Purdue Pharma Inc.; Purdue Transdermal Technologies L.P.; Purdue Pharma Manufacturing L.P.; Purdue Pharmaceuticals L.P.; Imbrium Therapeutics L.P.; Adlon Therapeutics L.P.; Greenfield BioVentures L.P.; Seven Seas Hill Corp.; Ophir Green Corp.; Purdue Pharma of Puerto Rico; Avrio Health L.P.; Purdue Pharmaceutical Products L.P.; Purdue Neuroscience Company; Nayatt Cove Lifescience Inc.; Button Land L.P.; Rhodes Associates L.P.; Paul Land Inc.; Quidnick Land L.P.; Rhodes Pharmaceuticals L.P.; Rhodes Technologies; UDF LP; SVC Pharma LP; SVC Pharma Inc.

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#### The Raymond Sackler Family<sup>4</sup>

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# Certain Canadian Municipality Creditors and First Nation Creditors<sup>5</sup>

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<sup>&</sup>lt;sup>5</sup> City of Grande Prairie as Representative Plaintiff for a Class Consisting of All Canadian Municipalities, the Cities of Brantford, Grand Prairie, Lethbridge, and Wetaskiwin; The Peter Ballantyne Cree Nation on behalf of All Canadian First Nations and Metis People, the Peter Ballantyne Cree Nation on behalf of itself, and the Lac La Ronge Indian Band.

## U.S. Trustee, William K. Harrington

Department of Justice Executive Office for United States Trustees 441 G Street, NW, Suite 6150 Washington, DC 20530

Department of Justice Office of the United States Trustee 201 Varick Street, Room 1006 New York, NY 10014

## Official Committee of Unsecured Creditors of Purdue Pharma L.P., et al.

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# **United States of America**

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Dated: January 16, 2021 New York, New York

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# **CERTIFICATE OF SERVICE**

I, Maura Kathleen Monaghan, hereby certify that, on January 16, 2021, I caused true and correct copies of the foregoing document to be served by the Court's CM/ECF System to all parties who are deemed to have consented to electronic service. All pro se litigants will be served with a copy of this filing by first class mail.

Dated: January 16, 2021 New York, New York

> By: <u>/s/ Maura Kathleen Monaghan</u> Maura Kathleen Monaghan

Counsel for the Mortimer-side Initial Covered Sackler Persons